

**AMENDMENT UNDER 37 C.F.R. § 1.111**  
**U. S. Application No. 09/801,779**

**REMARKS**

Claims 1-32 are all the claims pending in the application, including new claims 24-32 added by the present Amendment.

The title of the invention is objected to as not being descriptive. By the present Amendment, Applicant amends the title of the invention to recite an “Image Capturing Apparatus With Lens Barrier.” Applicant submits that this amended title is descriptive of the claimed invention.

Claim 14 is objected to, because of an informality. The Examiner states that it is not clear how a lens section protects a lens section. Applicant respectfully submits that the Examiner is misinterpreting claim 14. The portion of the claim referred to by the Examiner recites that the first and second lens barriers cover at least parts of the front face, the back face and the side face, and are pivotally movable, independently of each other, around corresponding axes, which are substantially parallel to respective optical axes of the first lens section and the second lens section, to protect the first and second lens sections, respectively. As emphasized by the commas after “axes” and “section” added by the present Amendment, claim 14 does not state that a lens section protects a lens section. Rather, the first and second lens barriers cover at least parts of the front face ... to protect the first and second lens sections.

Claims 1-3, 5-7, 13 and 20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Swayze (US 5,115,265). Claims 21-23 are rejected under 35 U.S.C. § 102(b) as being anticipated by Yan (US 4,451,130). Claims 4 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Swayze in view of Toyofuku (US 6,166,765). Claims 14, 16, 17 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Swayze in view of Herzfeld

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(US 2,725,804). Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Swayze in view of Herzfeld and further in view of Palm et al. (US 6,414,709).

Claims 9-12 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

Claim 1 is amended herein to recite that the lens barrier comprises a portion of the body in a case that the lens barrier covers the lens section and in a case that the lens barrier opens the lens section. Applicant submits that Swayze fails to teach or suggest this feature of the claim. Rather, Swayze discloses in Figure 1 that the cover part 3 is released from the body 6 when it lets the lens 19 open to allow a user to manually grasp the cover parts at separate locations extended from the camera body 6. Since Swayze's cover parts are extended from the camera body when the lens is uncovered, the cover parts are not a portion of the camera body when the cover parts open the lens. Thus, Swayze does not anticipate claim 1.

Claims 2, 3, 5-7, 13 and 20 are not anticipated by Swayze, at least because of their dependence from claim 1.

Applicant submits that claims 21-23 are not anticipated by Yan for analogous reasons to those for claim 1. As recited in claim 21, the cover member comprises a portion of the body in a case that the cover member covers the image forming lens section and in a case that the cover member opens the image forming lens section. As shown in FIG. 2 of Yan, when the handle 2 is open, the handle is not a part of the camera body 1. Instead, the handle 2 separately extends from the camera body 1, when the handle opens the lens 5. Hence, claims 21-23 are not anticipated by Yan.

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Applicant submits that claims 4 and 8 are allowable, at least because of their dependence from claim 1, and because Toyofuku fails to make up for the above-described deficiencies of Swayze.

Applicant submits that claims 14, 16, 17 and 19 are allowable, for reasons analogous to those for claim 1. Independent claim 14 recites first and second lens barriers that comprise first and second portions, respectively, of the body in a case that the first and second lens barriers cover the first and second lens sections, respectively, and in a case that the first and second lens barriers open the first and second lens sections, respectively. As described above, Swayze fails to teach or suggest a lens barrier that is part of the body in the case that the lens barrier opens the lens section. It follows then that Swayze also fails to teach or suggest the above-recited feature of claim 14. Moreover, Herzfeld does not make up for this deficiency of Swayze. Therefore, claim 14 and its dependent claims 16, 17 and 19 are allowable over the prior art.

With respect to claim 18, Applicant submits that this claim is allowable at least because of its dependence from claim 14, and because Palm et al. fails to make up for the above-described deficiencies of Swayze and Herzfeld.

Claims 24-32 are added to further define the present invention. Claims 24, 25, and 26 are believed to be allowable at least because of their recitation of a lens barrier attachment, first and second lens barrier attachments, and a cover member attachment, respectively, disposed at or near a center of said body. Claims 27-32 are believed to be allowable, at least because of their dependence from claims 1, 14, 21, 24, 25, and 26, respectively, as well as their own respective recitations.

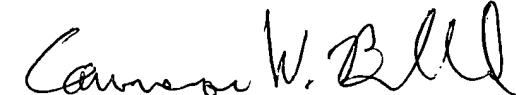
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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: October 19, 2004